

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

JOHN and ANGIE FINLEY,

Debtors.

§
§
§
§
§

CASE NO. 02-48508-DML-13

MEMORANDUM ORDER

On this day the court considered Ford Motor Credit Company's ("Movant") Motion to Allow Late Filed Proof of Claim ("Motion") filed September 26, 2003. Movant seeks permission to allow a late filed claim in the amount of \$12,291.92. Neither the Trustee nor the Debtors objected to the Motion.

This is a Chapter 13 case. Rule 3002 of the Federal Rules of Bankruptcy Procedure provides that a proof of claim is "timely filed if it is filed not later than 90 days after the first date set for the meeting of creditors called under § 341(a) of the Code." FED. R. BANKR. P. 3002(c). Rule 3002 also provides five exceptions to the general rule for timely filing, *see* FED. R. BANKR. P. 3002(c)(1)-(5), but Movant states no facts which would support recourse to one of the enumerated exceptions. While the court may extend the time limits for filing a proof of claim to the extent and under the conditions stated in Rule 3002, *see* FED. R. BANKR. P. 9006(b)(3),

Movant has offered no basis for filing a late proof of claim. Accordingly, the Motion must be, and hereby is, **DENIED** with prejudice.

SO ORDERED this 21st day of October, 2003.

A handwritten signature in black ink, appearing to read "Dennis Michael Lynn", written over a horizontal line.

DENNIS MICHAEL LYNN
UNITED STATES BANKRUPTCY JUDGE